

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231

In re application of
Robert E. Fischell

Group Art Unit: 335
Examiner: F.Jaworski

Serial No.: 34,155

Filed: April 27, 1979

For: Implantable, Programmable Medication
Infusion System

#24
25
12-4-81

THIRD REQUEST FOR EXTENSION OF RESPONSE PERIOD

Hon. Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Under the provisions of Rule 136(b), Applicant requests a 2-week extension, until December 20, 1981, to respond to the Office Action dated July 20, 1981 in the above-identified application. The response is due December 4, 1981.

A prior request was made to extend the response period to December 20, 1981, but the extended response period granted was only until December 4, 1981.

This case deals with very sophisticated technology and because of the breadth of the subject matter, a great deal of time is necessary to prosecute the application. From the time the previous request for extension was granted until the present, the practitioner handling the prosecution of this application has spent his entire working time preparing a response to the Office Action. In addition, several extended working days have been spent in putting the case in proper form for further consideration. Specifically, for this period of time, several all-day conferences have been held with the Inventor; numerous hours have been spent examining the comments made by the Examiner in the previous Office Action and during the interviews held; an extensive re-review of the prior art has been conducted; and some new independent claims, directed


toward the features of the invention which the Examiner has indicated are allowable, have been drafted. The new independent claims were discussed with the Examiner during an informal telephone interview conducted on November 16, 1981. The Examiner felt that the new claims generally seemed allowable but he stated he would like to review them in detail when submitted. Subsequent to the telephonic interview with the Examiner, new dependent claims have been drafted to include the subject matter of the previous dependent claims but which are in a form such that the language thereof reconciles with the new independent claims. Presently, there are numerous claims in the application and drafting of these new dependent claims has been a time-consuming and painstaking task. The present request for an extension of time is necessary to complete the drafting of extensive remarks which will aid the Examiner in his examination of the new claims and to confer with the Inventor about the claims and remarks to be submitted.

As the previous time requested has been used efficiently and nonetheless the response is not yet ready for filing, it is requested that this additional time be granted.

This request is made in good faith and without intent to delay.

Respectfully submitted,
Robert E. Fischell

By



Robert E. Archibald
Attorney of Record
Registry No. 20,934

Date: December 2, 1981
CLLP-E81-421

12/3/81
2 week extension
expiring at close of
business Dec. 20, 1981
is granted.
Richard C. Linbham
Acting Director Group 330